

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED SHREVEPORT
MAR 20 2015
TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

JAMES COLEMAN

Civil Action No. 5:15CV0271 SEC. P

Plaintiff

Prisoner # 214322/9164

VS.

Judge HICKS

WARDEN BIENVILLE PARISH JAIL ET AL

Magistrate Judge HORNSBY

Defendant

**COMPLAINT
PRISONER CIVIL RIGHTS UNDER 42 U.S.C. § 1983**

I. Previous Lawsuits

- a. Have you begun any other lawsuit while incarcerated or detained in any facility?

Yes No

- b. If your answer to the preceding question is "Yes," provide the following information.

1. State the court(s) where each lawsuit was filed (if federal, identify the District, if state court, identify the County or Parish):

2. Name the parties to the previous lawsuit(s):

Plaintiffs: James Coleman

Defendants: Warden Donny D.

3. Docket number(s): 5:15 CV 0271

4. Date(s) on which each lawsuit was filed: 2/20/15

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

N/A

(Rev. 5/1/13)

- c. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

Yes No

If your answer to the preceding question is "Yes," state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.).

N/A

N/A

II. a. Name of institution and address of current place of confinement:

Bienvenue Parish jail

- b. Is there a prison grievance procedure in this institution?

Yes No

1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes No

2. If you did not file an administrative grievance, explain why you have not done so.

3. If you filed an administrative grievance, answer the following question. What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of the Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal any adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

No, I was transferred without a response to the Lincoln Parish Detention Center

Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

III. Parties to Current Lawsuit:

- a. Plaintiff,

JAMES COLEMAN

- Address

P.O. Box 2028 Ruston, La 71270

(Rev. 5/1/13)

- b. Defendant, Danny D. (unknown last name), is employed as Warden at Bienville Parish Jail.
 Defendant, Johnnie (Officer), is employed as Jailer at Bienville Parish Jail.
 Defendant, Jim Stephens, is employed as Booking Officer at Bienville Parish Jail.
 Additional defendants, _____.

IV. Statement of Claim

State the **FACTS** of your case. Specifically describe the involvement and actions of each named defendant. Include the names of all persons involved in the incident(s) or condition(s) giving rise to this lawsuit, and the dates upon which and the places where the incident(s) and/or condition(s) occurred. **YOU ARE REQUIRED TO SET FORTH ONLY FACTUAL ALLEGATIONS. YOU ARE NOT REQUIRED TO SET FORTH LEGAL THEORIES OR ARGUMENTS.**

1. Plaintiff, James Colomon (hereinafter Colomon) is and was at all relevant times mentioned herein, a prisoner of the state of Louisiana in custody of the Louisiana Department of Corrections, currently housed at the Lincoln Parish Detention Center, Ruston Louisiana.
2. Defendant, Danny D. (unknown last name), served as Warden at the Bienville Parish Jail, and as such is responsible for the daily operations supervision, and training of his subordinates, and responsible for taking prisoners into custody and keeping them safely until discharge by due course of law.
3. Defendant Johnnie (unknown last name), serves as Sarge at the Bienville Parish Jail, and as such is responsible for carrying out the daily operations of the Warden.

4. Plaintiff do depose and say under Oath that the Jail
Keeper of Bienville Parish was negligent in Housing me in a
5-6 foot in height bed. On or Around 01-14-15 at 15:53
I attempted to inform Officer: 276 Stephen, Jim that I had
recently suffer a heart-attack and has a history of high
blood pressure and should not be housed in a top bunk. I
was still assigned a top bunk. I, Coleman, unconsciously
fell out of the 6-foot in height bed and landed on the floor
Causing injuries to my head, neck and lower back. I was
transferred to the Bienville medical, with no finding of any
broken bones just swelling on the right side of my head.
I have requested further treatment but was transferred to
the Lincoln Parish Detention Center. There were no safety
rails on the bed at all, speaking of safety issues Officer
Johnnie, took me to a 72-hour hearing and he turn me to the
cell and did not take leg irons off me in the cell with another
inmate with "no" leg irons on him. This officer displayed un-
professional un-safety practices and placed my life in danger.

(Rev. 5/1/13)

V. Relief

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

I am seeking monetary Compensation and further medical treatment for pain and suffering, mental anguish suffer from the Officer's negligent and unprofessional un-safety practices.

VI. Plaintiff's Declaration

- a. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- b. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.
- c. If I am located in a prison participating in the Electronic Filing Pilot Program, I consent to receive orders, notices and judgments by Notice of Electronic Filing.

Signed this 9 day of March, 20 15.

214322/9164

Prisoner no. (Louisiana Department of
Corrections or Federal Bureau of Prisons)

Signature of Plaintiff

James Coleman

Mr. James Lofman #14332/9164
P.O. Box 2628 D.P.O.C.
Houston, Tex 77273-2628

FOREVER
USA



Clerk, United States District Court
300 Fannin St., Suite 1167
Houston, Texas
77001-3083

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